

REMARKS

Claims 1-10, 17-25, 28, and 33-40 are pending. Claims 41 and 42 are new.

Claims 8 and 10 are cancelled without prejudice or disclaimer.

Claim 1 is amended to recite that reading of first facial image information stored on said card is performed “with a peripheral device” and that “the image collection device is physically incorporated with the peripheral.” (Claim 1.) Claim 24 is amended in a similar manner. Support for these amendments is found, for example, in paragraphs 0065 and 0066 of the as-filed application. No new matter has been added.

Claims 3, 6, and 25 are amended to bring them into conformity with the claims from which they depend.

Claim 18 is amended, deleting a portion of the claim to clarify the language.

Claims 41 and 42 are new. Support for these claims is found, for example, in paragraph 0064 of the as-filed application. No new matter has been added.

The remaining claims are unchanged.

Claim Rejections- 35 U.S.C. §112

Claim 18 was rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

Claim 18 is amended to clarify the claim by replacing the language indicated to be confusing, thereby obviating this rejection.

Claim Rejections- 35 U.S.C. §103

Applicants respectfully request that the Examiner withdraw the outstanding rejections in view of the following remarks. Reconsideration is respectfully requested.

Claims 1-10 and 17-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,386,103 (DeBan) in view of U.S. Patent No. 6,068,184 (Barnett).

In the previous response filed on June 17, 2009, Applicants amended claim 21 to recite “wherein an image collection device is physically incorporated with the peripheral.” Applicants also amended claim 28 to recite “wherein the second facial image information is obtained using an image collection device physically incorporated with the player tracking device.” The Office Action does not address the amendments made to claims 21 and 28. Applicants maintain the arguments set forth in the previous response. These arguments are set forth below:

As explained in the response filed January 12, 2009, in many older gaming machines, no communication link existed with the gaming controller. (Paragraph 0069). Similarly, many older gaming machines did not have image collection devices associated with them. Providing a communication link to the gaming controller and an image collection device in such gaming machines may be time and cost prohibitive. (Paragraph 0069). With a

peripheral associated with a communication link and physically incorporated with the image collection device, as is the case with certain embodiments of the claimed invention, it is possible to upgrade older systems with the security features recited in Claim 21 by installing a single peripheral. (Paragraph 0069). This is one benefit of the claimed invention; however, it should be understood that the invention is not limited to upgrading older equipment.

As noted above, in the present response, claims 1 and 24 are amended. Claim 1 is amended to recite that reading of first facial image information stored on said card is performed “with a peripheral device” and that “the image collection device is physically incorporated with the peripheral.” (Claim 1.) Claim 24 is amended in a similar manner.

DeBan describes an identification and verification system which includes a card having stored thereon human facial projection characters. (Abstract.) DeBan, however, does not describe an “image collection device [that] is physically incorporated with the peripheral,” as recited in Claim 1. In DeBan, the automated teller station 12 includes a high resolution TV camera or digital CCD array. (Col. 3, lines 21-29.) The automated teller station also includes a separate magnetic strip reader 32. (Col. 3, line 24.) These two components are not part of one peripheral device, as recited in claim 1. The high resolution TV camera or digital CCD array is not configured to read “said first facial image information stored on said card,” and the magnetic strip reader does not have an image collection device physically incorporated with it. A similar argument was presented in the previous response:

DeBan describes a camera 36 for generating image data of a customer. (Col. 3, lines 27-29). The camera in DeBan, however, is also not physically incorporated with a peripheral as recited in claim 21.

Barnett fails to cure the deficiencies of DeBan with respect to the above quoted features. Barnett describes a “security card system that includes a security card having an appearance like a real credit card or other bank card.” (Abstract.) Barnett, however, does not describe any sort of image collection device for obtaining facial image information.

Thus, DeBan and Barnett, whether considered alone or in combination, fail to disclose or remotely suggest peripheral device having the combination of features recited in claim 1. Amended claim 1 is therefore not obvious in view of DeBan and Barnett. Claims 21 and 24 recite features similar to those in claim 1. Claims 21 and 24 are therefore also not obvious in view of DeBan and Barnett. Again, as noted above, one benefit of having an image collection device that is physically incorporated with a peripheral is being able to upgrade an older gaming machine with both an image collection device and a communication link by installing a single peripheral device in the gaming machine.

The above-referenced dependent claims incorporate the features of claims 1, 21, and 24. Therefore, the dependent claims are patentable for at least the same reasons as claims 1, 21, and 24.

Claims 28 and 33-40 were rejected under 35 U.S.C. 103(a) as being unpatentable over DeBan in view of Barnett and U.S. Patent No. 6,583,813 (Enright).

With respect to claim 28, Enright is cited for its teaching of “the presentation of cash to a customer as a triggering event that causes an image capture event.” (Office Action, page 6.) Enright describes a system and method for capturing and searching image data associated with transactions. (Title.) Enright does describe performing facial recognition with captured images of facial features of different people. (Col. 24, lines 46-67.) Enright, however, does not describe “an image collection device physically incorporated with the player tracking device,” much less even a player tracking device, as recited in claim 28. Similar to the peripheral devices described above, physically incorporating an image collection device with a player tracking device allows a casino operator to upgrade an older gaming machine with both an image collection device and a communication link by installing a single peripheral device in the gaming machine. Additionally, player tracking capabilities can be added to older gaming machines with such a player tracking device. Therefore, DeBan, Barnett, and Enright, considered alone or in combination, do not support the obviousness rejection of claim 28. Thus, this rejection should be withdrawn.

Claims 1 and 24 recite features similar to those in claim 28. Thus, DeBan, Barnett, and Enright, considered alone or in combination, do not support the obviousness rejection of claims 1 and 24. Claims 33-40, which incorporate the features of claims 1 and 24, are also not obvious in view of DeBan, Barnett, and Enright.

Further, with respect to claims 33-40, Enright is cited for its teaching of a “triggering event comprising detected motion . . . or audio in the form of sound or a voice.” (Office Action, page 7.) Applicants respectfully disagree that Enright teaches a triggering event comprising “audio in the form of a sound or a voice.”

Enright does describe capturing sound or voice information. (Col. 39, lines 32-41.) Enright also describes a number of input devices that can detect triggering events. (Col. 40, line 7 through col. 41, line 5.) None of these devices is a microphone that can detect “a loud sound or particular spoken words,” however. (Claim 34.) The section of Enright cited in the Office Action states:

Comments can be manually input, input by voice as sound files, input through voice to text conversion software or may be generated and stored in response to programmed instructions based on parameters and/or triggering events.

(Col. 38, lines 17-21.) This portion of Enright describes a way in which comments can be stored in “correlated relation with particular images.” (Col. 38, lines 15-17.) These comments are not used as a triggering event. Claim 38 recites elements similar to those in claim 34.

Therefore, claims 34 and 38 are patentable on their own merits.

Conclusion

The claims are believed to be in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call the undersigned attorneys at (510) 663-1100.

Applicants do not believe that any additional fees are required to facilitate the filing of this Amendment. However, if it is determined that such fees are due, please charge such additional fees to Deposit Account No. 504480 (Order No. IGT1P496D1).

Respectfully submitted,
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